

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

G&H DIVERSIFIED MANUFACTURING, LP

Plaintiff/Counterclaim-Defendant,
and

YELLOW JACKET OIL TOOLS, LLC
Counterclaim-Defendant

v.

DYNAENERGETICS EUROPE GMBH, and
DYNAENERGETICS US, INC.,
Defendants/Counterclaim-Plaintiffs.

Civil Action No: 3:20-cv-00376

JOINT MOTION TO STAY

Plaintiff/Counterclaim-Defendant G&H Diversified Manufacturing, LP (“G&H”) and Counterclaim-Defendant Yellow Jacket Oil Tools, LLC (“Yellow Jacket”), together with Defendants/Counterclaim-Plaintiffs DynaEnergetics Europe GmbH, and DynaEnergetics US, Inc. (collectively, the “DynaEnergetics”), jointly move to temporarily stay all matters related to the above-captioned case, and in support of this motion state as follows:

1. On August 24, 2021, DynaEnergetics filed a motion to stay the above-captioned case pending the resolution of a Petition for Writ of Mandamus to the Court of Appeals for the Federal Circuit from Judge Albright’s ruling on Yellow Jacket and G&H’s

motion to dismiss or transfer in *DynaEnergetics v. Yellow Jacket*, Case No. 6:20-cv-01110-ADA (W.D. Tex.), Dkt. 41 (“G&H Appeal”).

2. G&H does not oppose a stay of the current action in view of DynaEnergetics’ motions to dismiss its claims against Yellow Jacket, *with prejudice*, filed concurrently on August 24, 2021 in this case (Dkt. 66) and the co-pending case in the Houston Division, *DynaEnergetics v. Yellow Jacket*, Civil Action No. 4:21-02599 (S.D. Tex.), Dkt. 56 (collectively, “Motions to Dismiss”).

For the foregoing reasons, the Parties jointly and respectfully ask the Court to stay this case until the Federal Circuit has resolved the G&H Appeal, or in the event that DynaEnergetics withdraws either of the Motions to Dismiss, or otherwise seeks to convert either of the Motions to Dismiss to be *without prejudice*.

Dated: August 26, 2021

Respectfully submitted,

/s/ Barry J. Herman

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was filed electronically on August 26, 2021. As such, this document was served on all counsel of record pursuant to the Federal Rules of Civil Procedure.

/s/ Amir Alavi
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